

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

APR 27 1995

In the Matter of
Billed Party Preference
for "0+" InterLATA Calls

CC Docket No. 92-77

DOCKET FILE COPY ORIGINAL

REPLY COMMENTS OF THE
NATIONAL TELEPHONE COOPERATIVE ASSOCIATION

The National Telephone Cooperative Association ("NTCA") submits these Reply Comments in response to the request in Public Notice DA 95-473 released on March 13, 1995 ("Notice"). The Notice requests comments on an ex parte filing by the Competitive Telecommunications Association, Bell Atlantic, BellSouth Telecommunications, MFS Communications, NYNEX, Teleport Communications Group, and US West (hereafter COMPTel) on a proposal to place a rate ceiling on "0+" operator services calls in lieu of establishing mandatory Billed Party Preference ("BPP").

NTCA is a national association of approximately 500 local exchange carriers ("LECs") providing telecommunications services to subscribers and interexchange carriers ("IXCs") throughout rural and small-town America.

In initial comments to the Notice, NTCA again urged the Commission not to mandate BPP. While not opposing the rate ceiling plan, NTCA urged the Commission not to require that LECs provide quarterly reports or otherwise assume the obligation of monitoring the proposed rate ceiling plan COMPTel proposed.

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In earlier comments NTCA noted that the proposed monitoring may be simple for the larger carriers who agree to the proposal. However, for NTCA members, the monitoring requirements represent a new layer of reporting that must be assumed by the small company irrespective of existing staffing, existing regulatory burdens or existing business operations. NTCA pointed out that it is principally concerned that the proposal will impose undue additional burdens on small companies.

NTCA supports the Commission's ultimate goals in this proceeding, i.e., the simplification of access to the network. It believes the record demonstrates that BPP is not a cost justifiable option for accomplishing this goal. Other less costly means are preferable if they do not impose undue burdens on parties that are not responsible for the problems associated with "0+" operator calls. NTCA's principal concern is that whatever means the Commission adopts to accomplish this purpose does not impose undue burdens on small companies. A similar concern is expressed by the USTA.¹

NTCA is aware that some of the larger LECS are sensitive to the concerns of small companies but support the monitoring plan and do not consider it an undue burden for them. Because some of these larger Tier I LECs are willing to assume the burdens associated with the monitoring, NTCA is willing to modify its prior comments and now recommends that the monitoring and

¹ USTA Comments at 2.

reporting plan be mandatory only for Tier I LECs.² A mandatory plan limited to Tier I LECs would allow the Commission to accomplish its goals but limit the burden to small companies that are not prepared or willing to assume additional burdens. The Commission's enforcement of the rate ceiling plan will not be hampered by making the plan mandatory for Tier I LECs only. The same Operator Services providers operate in Tier I and independent territory and it is expected that the Commission will have the ability to determine compliance and enforce the rate ceiling in independent as well as Tier I territory if Tier I LECs participate in the monitoring plan.

Respectfully submitted,

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April 27, 1995

² NTCA supports rate ceilings, however.

CERTIFICATE OF SERVICE

I, Gail C. Malloy, certify that a copy of the foregoing Reply Comments of the National Telephone Cooperative Association in CC Docket No. 92-77 was served on this 27th day of April 1995, by first-class, U.S. Mail, postage prepaid, to the following persons on the attached list:


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